



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE

**REQUEST FOR QUALIFICATIONS # 33501-182005  
AMENDMENT # 2  
FOR EXAMINATION SERVICES OF INSURANCE  
COMPANIES**

**DATE: February 19, 2020**

**RFQ # 33501-182005 IS AMENDED AS FOLLOWS:**

- 1. This RFQ Schedule of Events updates and confirms scheduled RFQ dates. Any event, time, or date containing revised or new text is highlighted.**

EVENT		TIME (Central Time Zone)	DATE (all dates are State business days)
1.	RFQ Issued		January 27, 2020
2.	Disability Accommodation Request Deadline	2:00 p.m.	January 30, 2020
3.	Notice of Intent to Respond Deadline	2:00 p.m.	February 3, 2020
4.	Written "Questions & Comments" Deadline	2:00 p.m.	February 7, 2020
5.	State response to written "Questions & Comments"		February 19, 2020
6.	RFQ Technical Response Deadline	2:00 p.m.	February 28, 2020
7.	RFQ Negotiations		March 9 – 13, 2020
8.	State Notice of Intent to Award Released and RFQ Files Opened for Public Inspection		March 18, 2020
9.	End of Open File Period		March 25, 2020
10.	State sends contract to Contractor for signature		March 26, 2020
11.	Contractor Signature Deadline	2:00 p.m.	March 30, 2020
12.	Contract Anticipated Start Date		April 1, 2020

- 2. State responses to questions and comments in the table below amend and clarify this RFQ.**

Any restatement of RFQ text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFQ document.

Question #	Question Location	Question	State's Response
1	RFQ Section 1.1.	In Section 1.1 of the RFQ, Statement of Procurement Purpose, it states that the State intends to award up to ten contracts to respondents that can each provide at least one or more of the services requested. As it relates to this information, can you please clarify the intent and how this may be applied relative to the provisions of section 4.10 of the RFQ and section 5.4.2.2 of the Pro Forma Contract?	RFQ Section 4.10. refers to after the contract is awarded or during negotiations. The State will follow RFQ Section 4.10. as provided in the RFQ.
2	RFQ Section 3.3.	Can you please provide further clarification of how the State wishes the responses to be submitted? One hard copy with five digital copies on a USB flash drive?	Please follow the exact directions provided in RFQ Section 3.3.
3	RFQ Section 4.4.	Will the State consider modifications to the terms and conditions in the RFQ, including the Pro Forma Contract, which would be industry standard and/or typical for the type of services contemplated? If yes, can you please confirm that such proposed modifications should be included within the proposal response?	The State will not accept redlines or exceptions to the Pro Forma contract or RFQ. Please see RFQ Section 3.4.5.
4	RFQ Section 4.6.	Outside of registration with the Tennessee Department of Revenue if awarded a contract, relative to being licensed to do business in Tennessee, can you please confirm there is no state business license required, for instance with the Secretary of State? It appears business licenses are issued at the local level. Thus, is a license required in a particular city or county to be able to serve as a contractor to the State?	The following link to the Tennessee Secretary of State website contains relevant information regarding Business Entity Filings: <a href="https://sos.tn.gov/business-services/business-entity-filings">https://sos.tn.gov/business-services/business-entity-filings</a> . This information provides guidance as it pertains to the requisite filings for each type of business entity. A business license with a local entity may be required as this determination is fact dependent. However, the State is unaware of a specific locality that requires a business license solely on the basis that the contractor is providing services pursuant to a contract with the State of Tennessee.
5	Attachment A, Section A.3.	The bank reference does not need to be in a sealed envelope, correct?	The bank reference does not have to be in a separate, sealed envelope. Simply include with the sealed response as a whole.
6	Attachment A, Section A.3.	Can you please confirm that the letter should be addressed to Kayla Cook and inserted into the proposal document for submission?	The letter may state "to whom it may concern". This shall be submitted with the sealed response as a whole.

7	Pro Forma Section A.10.	Will the State consider a modification to “3-5 business days following the date of request”?	This modification is acceptable.
8	Attachment B, Section B.13.	Does the State have a preference between the inclusions of resumes or work related bio summaries?	Ensure the provided resumes include the details requested in B.13.
9	Attachment B, Section B.15.	Our firm currently subcontracts with a minority business organization which is not currently certified with the Diversity Business Enterprise (“DBE”) for Tennessee. Are we permitted to have them register with GO-DBE if we are awarded a contract? Must the DBE be a firm located in Tennessee specifically?	The firm (subcontractor) can register with the Go-DBE office if they are out of state. However, they must first be certified in their home-state, or with a national organization, i.e. Minority Supplier Development Council, WBENC, etc. This can be done before, during, or after contract award.
10	Attachment B, Section B.17.	Please confirm it is acceptable to include 3 or more reference questionnaires in the sealed Technical Response.	Yes.
11	Attachment B, Section B.17.	Are we permitted to provide three separate references from clients with which we have completed three projects and are currently providing services of similar scope and size?	Yes.
12	Attachment D	To clarify, there is no pricing to be submitted at this point, correct? Pricing negotiations will commence with respondents that qualify within the competitive range at the state’s discretion. Can you provide further clarification on how pricing negotiations will occur?	Correct. The State will request cost proposals from each responsive and responsible Respondent. See RFQ Section 5.2.
13	Pro Forma Section A.5.c.	Can you please provide a description of the services to be provided in this category of services and examples of such services?	Administrative/Supervising review services are contemplated where the State needs support to perform supervisory reviews on examinations. This service is at a level above the Examiner-in-Charge and represents a quality control review of work performed on examinations, either by the contractor's staff, state employee staff, or other contractors' staff.
14	Pro Forma Section A.5.d.	Can you please explain the provision which states “related to an examination and/or evaluation in the absence of an agreement for the contractor to conduct the relevant examination(s).” What type of situations are contemplated by this provision?	This means that in situations where the contractor has not been engaged to conduct the entire examinations, specifically providing an Examiner-in-Charge (EIC), the State may wish to use only staff of the contractor to support an examination which is staffed primarily by state employees, including the EIC.

15	Pro Forma Section A.14.	Please provide clarification as to the purpose of this requirement and how such EIC disclosure is contemplated to be provided.	The intent of this requirement is to ensure that the contractor applies primary time and attention to engagements for this State and are not disrupted by concurrent engagements with other clients utilizing the same contracted staff, and that the State receives an appropriate apportionment of the billing for a specific block of time. Disclosures may be made in writing during any specific engagement should overlap occur.
16	Pro Forma Section C.3.b.	Are services related to troubled companies, supervision, rehabilitation and receivership within the scope of this RFQ? If yes, relative to C.3.b, can specialists relating to this area be included in the hourly rate schedule?	No services related to troubled companies, supervision, rehabilitation and receivership are contemplated under this RFQ. Respondents may submit suggested additional lines to the Cost Proposal. However, these will be reviewed and approved at the discretion of the State if they are deemed within the scope of the contract.
17	Pro Forma Section C.3.b.	Can you please confirm whether the per hour rate information in the table in C.3.b (payment methodology) does or does not need to be submitted with the technical proposal submission by February 26, 2020? If yes, does it need to be included within a separate cost proposal submission document?	No. The Payment Methodology will be requested per Attachment D and RFQ Section 5.2.
18	Pro Forma Section C.3.b.	Related to question #3 above, if C.3.b information is required to be submitted with the proposal submission, can relevant additional classifications or services not listed in the hourly rate schedule be added under the Goods or Services Description? For instance, specialists that may be used on Market Conduct examinations, such as pharmacists, mental health and clinical specialists, as well as hourly rates for administrative hearings and expert witness testimony?	C.3.b is not required to be submitted with the proposal. Cost Proposals/Negotiations will only be requested of Qualified Respondents in the competitive range. Respondents may submit suggested additional lines to the Cost Proposal. However, these will be reviewed and approved at the discretion of the State if they are deemed within the scope of the contract.
19	General	Does the State want respondents to submit the actual Attachments (A,B,C) as part of the response or may we duplicate what is required in the attachments in the body of our response and provide a table of contents identifying the sections addressed?	Either is acceptable.

20	General	The solicitation discusses “Administrative/Supervising” review services. Can you provide further details on the expectations of these services? Also, as part of services requested, does the state anticipate the need for financial analysis review? If so, where should we address these services in our response?	Administrative/Supervising review services are contemplated where the State needs support to perform supervisory reviews on examinations. This service is at a level above the Examiner-in-Charge and represents a quality control review of work performed on examinations, either by the contractor's staff, state employee staff, or other contractors' staff. No financial analysis review is anticipated.
21	General	To clarify, the actuarial and information technology services requested in the RFQ relate specifically to auxiliary services for to financial examinations and market conduct review services, correct?	Yes. These services would most likely be in support of examinations. However, it is possible that either of these services may be requested for specific needs that could arise, such as with a limited-scope or targeted examination.
22	General	How many financial examinations were outsourced during the last contract period?	26 financial examinations were outsourced during the last 5 years.
23	General	How many market conduct examinations were outsourced during the last contract period?	No market conduct examinations have been outsourced during the previous contract period. On one occasion we have utilized the services of a contractor for training in a specific market conduct area.
24	General	Does the State currently have a contract in place for these services? Is it a single contract, or will this RFQ replace multiple contracts?	Yes. There are currently four (4) contracts.
25	General	Could you provide the vendor information and contract number(s) for any incumbents?	This information can be obtained via a public records request. Please use the following link: <a href="https://www.tn.gov/generalservices/about-dgs/public-records-requests.html">https://www.tn.gov/generalservices/about-dgs/public-records-requests.html</a>
26	General	If there are contract(s) in place, could you provide the total spend to date?	Contract funds spent during the last 5 years are approximately \$2,350,000.
27	General	Are these services a continual need for the State? The award from this RFQ will have the term of 60 months – is it possible that the State will rebid these services as the contract nears expiration?	It is possible that these services will continue to be procured in the future.

3. **RFQ Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFQ not expressly amended herein shall remain in full force and effect.